

1 Chief District Judge David G. Estudillo
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

9 CATHERINE FAN,
10 Plaintiff,
11 v.
12 UNITED STATES CITIZENSHIP AND
13 IMMIGRATION SERVICES, *et al.*,
14 Defendants.

Case No. 3:24-cv-05166-DGE
STIPULATED MOTION TO DISMISS
AND REMAND AND ORDER

Noted for Consideration:
April 10, 2024

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16 Plaintiff Catherine Fan brought this action pursuant to 8 U.S.C. § 1447(b), alleging that
17 the United States Citizenship and Immigration Services (“USCIS”) failed to adjudicate her
18 Form N-400, Application for Naturalization, within 120 days after her initial interview. She
19 seeks de novo review of her application and adjudication by this Court. The parties have
20 reached an agreement that will resolve this case in its entirety.

21 The parties, by and through their respective counsel, hereby jointly stipulate and move
22 to dismiss this matter without prejudice, without fees or costs to either party, and request that
23 the Court remand the matter to USCIS. Once remanded, USCIS agrees to promptly issue a
24 Request for Evidence and schedule a follow-up interview for Plaintiff. USCIS further agrees to

STIPULATED MOTION TO DISMISS AND REMAND
[Case No. 3:24-cv-05166-DGE] - 1

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1 adjudicate Plaintiff's N-400 and, if appropriate, administer the Naturalization Oath of
2 Allegiance within 90 days of the remand order. Accordingly, the parties have resolved all
3 outstanding issues and further judicial intervention is unnecessary.

4 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

5 DATED this 10th day of April, 2024.

6 Respectfully submitted,

7 TESSA M. GORMAN
United States Attorney

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13 Attorney for Plaintiff

14 **I certify that this memorandum contains 164
15 words, in compliance with the Local Civil
16 Rules.**

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ORDER

2 This matter is dismissed without prejudice and without fees or costs to either party. The
3 case is remanded to United States Citizenship and Immigration Services (“USCIS”). USCIS
4 shall promptly issue a Request for Evidence to Plaintiff and schedule her follow-up interview.
5 Thereafter, USCIS shall adjudicate Plaintiff’s N-400 and, if appropriate, administer the Oath of
6 Allegiance within 90 days of this Order.

IT IS HEREBY ORDERED.

DATED this 11th day of April 2024.



David G. Estudillo
United States District Judge